

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

U.S. BANK NATIONAL ASSOCIATION, as  
Trustee

SUMMONS IN A CIVIL ACTION

V.

MBIA Insurance Corporation, Wellington  
Managment Company, LLP, VantisLife  
InsuranceCompany, CEDE & Co., as holder of  
certain Secured Notes and nominee name of  
the Depository Trust Company, DOES 1  
through 5, holders of certain Class A-1 and  
Class B Notes and DOES 6 through 100,  
owners of beneficial interests in the Secured Notes.

CASE NUMBER:

08 CIV. 4791

TO: (Name and address of Defendant)

Cede & Co.  
55 Water Street  
New York, New York 10041-0099

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael E. Johnson, Alston & Bird LLP, 90 Park Avenue, New York, New  
York 10016

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 22 2008

**J. MICHAEL McMAHON**

CLERK

DATE

(By) DEPUTY CLERK

*Satecia Custer*

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**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL \$0.00
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
U.S. BANK NATIONAL ASSOCIATION, as Trustee,  
Plaintiff(s),

Index No. 08 CV 4791

-against-  
MBIA Insurance Corporation, Wellington  
Management Company, LLP, et al.,  
Defendant(s).

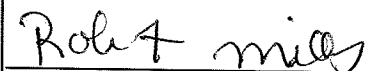
AFFIDAVIT OF SERVICE

-----X  
STATE OF NEW YORK)  
S.S.:  
COUNTY OF NEW YORK)

ROBERT MILLS, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 27<sup>th</sup> day of May 2008, at approximately 3:15 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, INTERPLEADER COMPLAINT, CIVIL COVER SHEET, INTERPLEADER, RULE 7.1 DISCLOSURE, INDIVIDUAL PRACTICES OF JUDGE BARBARA S. JONES, 3<sup>RD</sup> AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE MICHAEL H. DOLINGER** upon Cede & Co at 55 Water Street, New York, NY 10004, by personally delivering and leaving the same with Michelle Patterson, Legal Assistant, who informed deponent that she is an agent authorized by appointment to receive service at that address.

Michelle Patterson is a black female, approximately 32 years of age, stands approximately 5 feet 8 inches tall and weighs approximately 125 pounds with black hair and brown eyes.

  
ROBERT MILLS #1004298

Sworn to before me this  
29<sup>th</sup> day of May 2008

  
NOTARY PUBLIC

JONATHAN T. RIPPS  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01R16109718  
QUALIFIED IN NEW YORK COUNTY  
COMMISSION EXPIRES MAY 17, 2012